

## EXHIBIT 5

### COL. MASTRIANO AFFIDAVIT

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA**

Douglas Mastriano	:	CIVIL NO. 5:24-cv-00567-F
	:	
Plaintiff,	:	
	:	
v.	:	Assigned to:
	:	Honorable Stephen P. Friot
James Gregory, III, <i>et al</i>	:	
	:	
Defendants.	:	

**DECLARATION OF DOUGLAS MASTRIANO**

1. I, DOUGLAS MASTRIANO, am over the age of 18, and when called to testify am competent to and would testify upon personal knowledge the following information:
  
2. That I hereby affirm my verified complaint (ECF 1).
  
3. Summary: years 2019-present. That defendants opened and then reopened by a fraudulent scheme with Oklahoma defendant Gregory through repeated contacts in Oklahoma and the United States, a fraudulent “investigation” into my Ph.D. thesis and when I hired counsel who proved the falsity and fraud of the “investigation” reopening in March 2023, UNB and Individual Defendants then issued an outrageously malicious, false and libelous public attack on my character and viewpoints in April 2023 and ongoing, falsely averring my viewpoints were horrific and in keeping with those who committed murder, via UNB letterhead, Facebook posts, and world-wide distribution via e-mail to students, alumni and the press (Compl. Ex. 4, ECF 1-4). After I hired counsel to expose the fraud of the Gregory complaints, realizing the complaints were frivolous, the same UNB defendant in contact with Gregory to support his “complaints” against my thesis, defendant American Jeff Brown, joined and coordinated with Individual Defendants and UNB to issue this egregious and false letter (*Id.*) and continue to publish the same without retraction, speaking to the American press calling my thesis “a fraud” during my elections and speaking engagements, pressuring the cancelation of my books and publishing, and pressuring the “Investigatory Committee” of UNB to find against my thesis and to take away my duly awarded and earned Ph.D. or otherwise censure me, committing racketeering against me via the wires and mail, obtaining money by fraud for a degree they then were using to threaten my professional and political, interfering with and seeking to destroy U.S. commerce and elections in the United States as foreign agents.
  
4. Year 2013. That I received my Ph.D. in history from a unanimous board of review vote by University of New Brunswick (UNB) research and history departments after an hours-long oral defense and years of research, field work and labor.

5. Year 2019. That after filing for public office (State Senate) in or about 2019, Oklahoma Univ. graduate student and Oklahoma Rose State professor James Gregory Jr.<sup>1</sup> who is a market competitor and competing history author on WWI and famed Sgt. Alvin C. York, bringing and supporting his own negative and competing market share viewpoints, materials and books on the history of Sgt. York and the U.S. Army in WWI seeking to “debunk” my historical work, filed, apparently from his parent’s basement where he was then thought to be living, a false and fraudulent complaint with my alma mater UNB and history department chair David MaGee. The matter was shown to be false and motivated by a scheme to defraud and interfere with the market and I believed, my election, and was then resolved and closed by UNB as substantively without merit.
6. Year 2022. That, over two years later, after months of pressure and repeated letter demands from Oklahoma Gregory to UNB, Defendants UNB and Rendall unlawfully released from embargo my Ph.D. thesis to Gregory and the world utilizing the wires and mails of the United States to do so.
7. That in or about the year 2022, on or about the time of my becoming my party’s nominee for governor of Pennsylvania when it appeared I was leading in the polls, Gregory then filed a new and additional malicious and false complaint with UNB against my thesis, interfering with my professional economic intangible property rights causing a cessation in printing of my book by the University of Kentucky and interfering with my election in a scheme with UNB and Individual Defendants.
8. October 2022. That in or about October 2022, Mazerolle, MaGee and UNB defendants agreed with Gregory to reopen another “investigation” into the already closed allegations on many of the same grounds and did so just prior to my United States election date of November 8, 2022, greatly harming my election and interfering therewith purposefully and without lawful authority. Mazerolle then confirmed the “investigation” publicly in order to interfere with my election and destroy me professionally and financially.
9. November 3, 2022. Mazerolle did a press interview to maliciously defame me and notify American media of the existence of UNB’s “investigation” into my thesis – five days before my election for governor.
10. December 2022. That in or about December 2022, after I had lost the election for governor, no action was taken regarding the fraudulent complaint by Gregory and contact from UNB ceased, causing me to understand it had again closed the fraudulent “investigation.”
11. March 2023. That in or about March 2023, after national news articles with polling were published indicating I was the GOP front-runner for nomination to the United States Senate for Pennsylvania, UNB and defendants again joined with Oklahoma defendant Gregory to interfere with my election and issued notices to me that an “investigatory committee” would be formed to again look into my thesis.

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<sup>1</sup> James Gregory Jr. or III though named as the III, is referenced throughout my complaint as both Jr. and III and are one in the same person, as it appeared he has gone by both designations.

12. March 10, 2023. That on or about mid-March my attorney filed with UNB and individual defendants a complete rebuttal and demand to cease and desist the fraudulent “investigation” and malicious libel, interference with U.S. commerce and interference in U.S. elections.
13. March 26, 2023. That on or about this date defendant MaGee wrote an e-mail back to my counsel in the United States realleging and defending UNB actions and indicating that any future response would be from “the Committee.” No such future response from either the “investigation committee” or UNB occurred regarding the reopened “investigation.”
14. April 13, 2023. Realizing that I had hired counsel and was not going to accept the ongoing racketeering harassment and economic fraud of Gregory, Jeff Brown, MaGee and UNB, Jeff Brown and others (Individual Defendants) signed a horrifically outrageous malicious letter of libel accusing me personally of evil actions and viewpoints including falsely inferring I was committing “hate crimes” and viewpoints that have led to “murder.” (ECF 1, Compl. Ex. 4).
15. That this malicious libel appeared across America on social media, and to alumni and current UNB students via e-mail, and continues unretracted via the same to this day.
16. July-August 2023. UNB Jeff Brown and Gregory appeared on local American radio in Harrisburg, PA where I serve in the State Senate in order to destroy my economic, intangible property interests, professional career, character and to interfere with my election consideration as front-running for U.S. Senate, and my public government office as Chair of the Veterans and Emergency Management Committee of the State Senate, and spoke in their own voices on American radio making false allegations against me including, but not limited to, the “investigation” they had launched and relaunched into my Ph.D., the false allegations of my viewpoints and to denounce me as a private person and as a professional in my career calling my private historian work and me personally a “fraud.”
17. December 2023. Before the filing deadline to be on the ballot for United States Senate for Pennsylvania, after months of not hearing from UNB or MaGee, I received another e-mail from MaGee sent to me in the United States indicating that he had “extended” the time of the Committee to investigate against me (which had been required under the University rules to be 60 days) and that I had 30 days to respond to Gregory’s “complaint” which had over 200 false allegations unexplained against my thesis footnotes, which thesis has over a thousand footnotes.
18. April 2023-present. As stated hereinabove and in my complaint, the racketeering acts of use of the wires and mails against me personally in the United States by Defendants, and Sherman Act violation of anti-trust law interfering with right to publish history under my contracts, all while coordinating with the Oklahoma defendant Gregory who has caused these matters to arise from his situs and contacts in and from the State of Oklahoma, and interference with my elections, continue to this day without retraction and with great harm to me personally, privately and in my career and business interests.

19. I further affirm that upon researching appropriate and prestigious graduate programs via their world wide web site, and submitting an inquiry, I was recruited from the United States by UNB to apply for their Ph.D. in history program and that I secured significant funding for the same for UNB via the USDOD, and for additional U.S. Army officers who were recruited from the United States by UNB for other graduate program work. These payments to UNB occurred via the United States' wires and banking system and exceeded \$100,000.
20. I affirm that these contacts with UNB and defendants have been not only by request for in-person appearance, but furthermore by the United States wires, e-mails, mails and banking.

PURSUANT TO 28 U.S.C. 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on September 9, 2024.

DocuSigned by:

*Douglas Mastriano*

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Douglas Mastriano, affiant/declarant